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HIGH COURT OF CHHATTISGARH : BILASPUR
DIVISION BENCH

CORAM : HON'BLE SHRI H.L. DATTU, CJ &
HON'BLE SHRI V.K. SHRIVASTAVA, J.

WRIT PETITION (PIL) NO. 11 OF 2007

PETITIONER Santu Lal Agrawal, Gram Kharora, Distt. Raipur (CG).

VERSUS

RESPONDENTS

1) State of Chhattisgarh, Through Secretary, Department of Home, D.K.S. Bhawan, Raipur (CG).

2) Superintendent of Police, Distt. Durg (CG).

3) Station House Officer, P.S. Nawagarh, Bemetara, Distt. Durg (CG).

4) Secretary, State Women Commission, 10, HIG, Kavita Nagar, Awanti Vihar, Telhibandha, Raipur (CG).

PRESENT:-

Shri Amrito Das, Advocate appears as Amicus Curiae to assist the Court.

Shri Vinay Harit, Dy. Advocate General for the State.

Shri Praveen Das, counsel for respondent No.4.

Smt. Sudha Verma, Chairperson & Shri S.K. Keharai, Secretary, State Women Commission and Shri D.S. Rathore, SDO (Police), Bemetara, Durg, are present before this Court.

ORAL ORDER
(Passed on 29th March 2007)

The following oral order of the Court was passed by **H.L. Dattu, CJ**.

A letter was received by the learned Chief Justice of this Institution inter alia bringing to the notice that Smt. Niti Agrawal, was burnt by her closed kith and kin. In the letter the father of Smt. Niti Agrawal, had complained that in spite of his request to the State Women Commission and also to the State Police authorities, no action is being taken by the aforesaid persons.

(2) After registering the letter received from the father of Smt. Niti Agrawal, we had directed the Registry to treat the matter as Public Interest Litigation ("PIL" for short).

(3) Notices of this petition were ordered to be issued and served on the Chairperson of the State Women Commission and also on the Circle Inspector of Police, Bemetara, District Durg. We had also directed them to be present before us.

(4) Returns are filed by the respondents. Firstly, the Chairperson of State Women Commission has tendered apology for delay in taking cognizance on the request made by the father of Smt. Niti Agrawal and she has also made a statement that from now on she would take all possible steps to protect women rights as envisaged under the Chhattisgarh Rajya Mahila Ayog Adhiniyam, 1995. The S.D.O. of Police, Bemetara is also before us. In his return, he has stated that he has arrested all the accused persons and filed challan before the Additional Chief Judicial Magistrate for commission of offence punishable under Sections 498-A, 326 and 307 read with Section 34 of the Indian Penal Code.

(5) We have taken the returns filed by them on record. Though we have our own reservations about the way in which the respondents have reacted to a small request made by the father of the victim Smt. Niti Agrawal, for the present we do not intend to take any action against them since they have been advised properly by their counsel not to repeat the same mistake again.

(6) In view of the above, these proceedings are now closed.

(7) The State Government shall pay a sum of Rs.10,000/- and the Chairperson of State Women Commission shall also pay a sum of Rs.5,000/- to Shri Amrito Das, Advocate, who was asked to assist the Court as Amicus Curiae. Ordered accordingly.

Sd/-
Chief Justice
Judge

Sd/-
V.K.Shrivastava
Judge